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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/555,646	11/04/2005	Claudiu Vasilescu	1200.740	9696
28410	7590	04/13/2007	EXAMINER	
BERENATO, WHITE & STAVISH, LLC			NGUYEN, HANH N	
6550 ROCK SPRING DRIVE			ART UNIT	PAPER NUMBER
SUITE 240			2834	
BETHESDA, MD 20817				
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	04/13/2007	PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

2C

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/555,646	VASILESCU ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Nguyen N. Hanh	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-13 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-4,6-11 and 13 is/are rejected.
- 7) Claim(s) 5 and 12 is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 04 November 2005 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: ____.
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date: ____.	6) <input type="checkbox"/> Other: ____.

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: "150□, 175□" in page 23, line 29 and "90 □, 165 □" in page 24, line 1 should be written as:---150°, 175°, 90° and 165°---.

Appropriate correction is required.

### ***Claim Objections***

2. Claim 7 is objected to because there is no antecedent basis in the specification for "balancing means". Appropriate correction is required.

### ***Drawings***

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "balance means" in claim 7 must be shown or the feature canceled from the claim. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for

consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

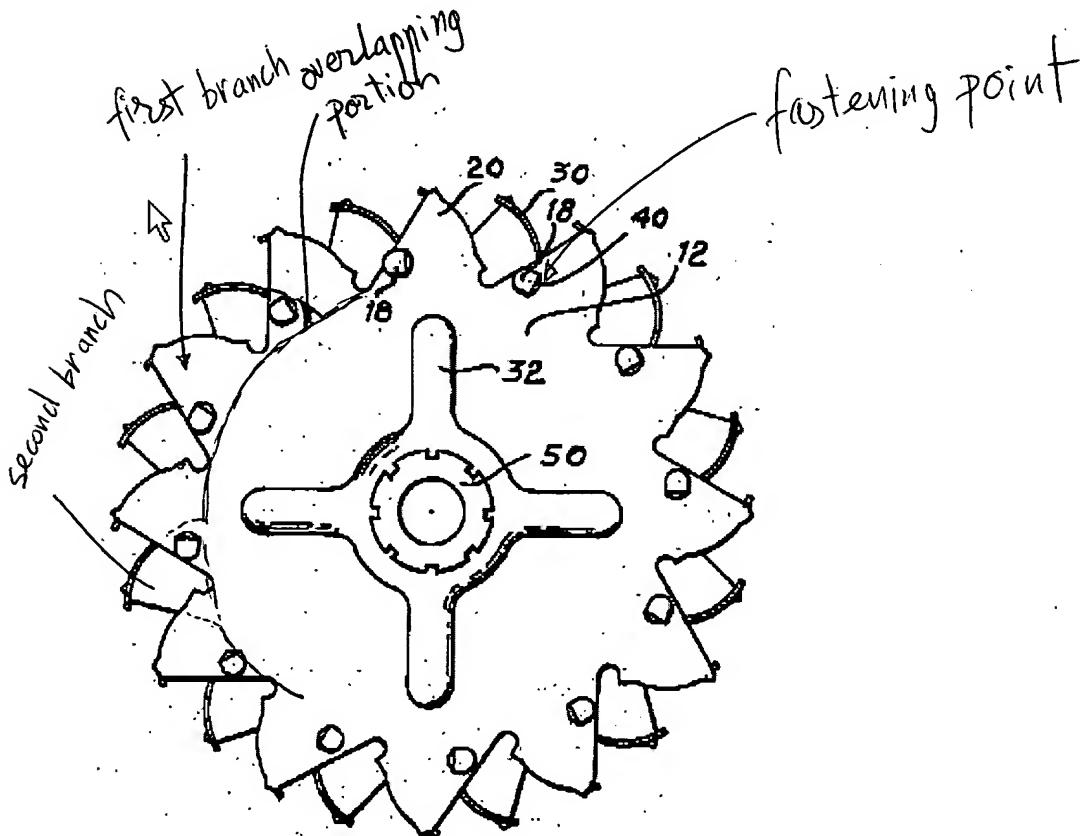
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 6-11 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Mayne.

Regarding claim 1, Mayne discloses a ventilating device adapted to be fixed on a transverse end face of an axial end of a rotor of a rotary electrical machine, of the type (preamble, patentable weight not given) comprising: a first fan (10 as described in Col. 2, lines 45-48) comprising a transversely oriented central plate portion, from which first blades (20 in Fig. 2 and 3) extend radially outwards; at least one second fan (10a) comprising a second transversely oriented central plate portion, from which second blades (20) extend radially outwards; and means for fastening the two fans (hole 40 in Fig. 6), wherein each fan (10, 10a) has, extending radially outwards from its outer periphery, first branches and second branches respectively, and wherein at least some

of the said branches carry a blade (30), characterised in that at least one first branch and at least one second branch include a first mutual overlapping portion and a second mutual overlapping portion, to define an overlap zone (please see markups), and in that the said fastening means (40) of the two fans are arranged at least partly in the region of the said overlap zone.



**FIG. 2**

Regarding claim 2, Mayne also discloses a ventilating device wherein the said fastening means of the two fans include at least one fastening point (40) for fastening the said overlapping portions of the two branches together.

Regarding claim 3, Mayne also discloses a ventilating device wherein the said fastening means of the two fans comprise at least two fastening points (40) for fastening the said overlapping portions of the two branches together.

Regarding claim 4, Mayne also discloses a ventilating device wherein the two fastening points (40) are arranged in the vicinity of the opposed ends of the two overlapping portions of the two branches (one in top plate 10, the other one is in bottom plate 10a).

Regarding claim 6, Mayne also discloses a ventilating device wherein one of the fans (10) is so configured that it has fastening points (center hole in Fig. 2) which are adapted to be fixed on the rotor of the rotary electrical machine, and in that the said fastening points are of greater size than the fastening points (40) fastening the two fans (10, 10a) together.

Regarding claim 7, Mayne also discloses a ventilating device wherein balancing means (tabs 18 are located symmetrically on both sides of the assembly) are located in the region of the fastening point (40 in Fig. 2) by which the said overlapping portions are fastened together.

Regarding claim 8, Mayne also discloses a ventilating device wherein the said first and second mutual overlapping portions of the branches are flat portions (formed by two parallel planes as shown in Fig. 1) which lie in parallel transverse planes.

Regarding claim 9, Mayne also discloses a ventilating device wherein each of the said transverse, flat, mutual overlapping portions of the branches lies in the same plane as the central plate portion from which the corresponding blade extends (Fig. 1).

Regarding claim 10, Mayne also discloses a ventilating device wherein one (10) of the fans (10, 10a) consists of a plurality of members (16 in Fig. 4) fixed on the other fan (10a) by the fastening means (tab 18) fastening the two fans together.

Regarding claim 11, Mayne also discloses a ventilating device wherein at least one of the blades of one of the fans is carried by a branch having an overlapping portion which overlaps an overlapping portion of a branch that carries a blade of the other fan, and in that the said fastening means (18 in Fig. 2) fastening the two fans together are arranged at least partly in the region of all of the said overlapping portions of the branches.

Regarding claim 13, Mayne also discloses a ventilating device wherein a thermal insulating means (air) is interposed between the first mutual overlapping portion and the second mutual overlapping portion.

***Allowable Subject Matter***

5. Claims 5 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 5, the prior art of record does not show a device as described in claims 1-3 wherein the two fastening points are offset circumferentially and radially from each other.

Regarding claim 12, the prior art of record does not show a device as described in claim 1 wherein a circumferential indexing means is interposed between the first and second radial plate portions, for circumferentially positioning the first blades with respect to the second blades, and in that the first and second radial plate portions are superimposed on each other.

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh N Nguyen whose telephone number is (571) 272-2031. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg, can be reached on (571) 272-2044. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications and (571) 273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

HNN *Nguyen, Mau*  
April 5, 2007